

Remarks/Arguments

Claims 1-7, 9-14 and 16-20 are at issue. The rejection of these claims under 35 U.S.C. § 101 is respectfully traversed.

Claims 1-7, 9-14 and 16-20 are not directed towards data processing and a computer program *per se* as stated in the Office Action. Claims 1-7 and 9-14 are directed to an optical coherence tomography method that uses an optical coherence tomography system having a light source, a detector, an analog to digital converter and a processor used to carry out the claimed steps of the method. Similarly, claims 16-20 are directed to a method that uses a system having a digital to analog converter and a processor for carrying out the claimed steps of the method. As such, the claims tie the process set forth therein to the other statutory class of "machine" set forth in 35 U.S.C. § 101 and the claims are proper under 35 U.S.C. § 101.

Claims 1-7, 9-14 and 16-20 are believed to be allowable under 35 U.S.C. § 101. Reconsideration and allowance is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees, to charge any fee deficiencies or to credit any overpayments to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

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Respectfully submitted,

/Jean D. Kuelper/

Jean D. Kuelper
Reg. No. 30,171

McANDREWS, HELD & MALLOY, LTD.
500 West Madison Street, Suite 3400
Chicago, Illinois 60661
Telephone: (312) 775-8000
Facsimile: (312) 775-8100